

**United States District Court  
District Of Puerto Rico**

TROPICAL SOLAR FARM, LLC;  
TROPICAL SOLAR FARM HOLDING,  
LLC; JONAS SOLAR ENERGY, LLC;  
and ROBERTO TORRES TORRES,

Plaintiff,

- against -

CIRO GROUP, CORP.; CIRO ENERGY,  
CORP.; CIRO ONE SALINAS, LLC;  
CIRO Two POWER FACILITY, LLC;  
CIRO THREE POWER FACILITY, LLC;  
CIRO ENERGY PARTNERS, LLC;  
ROSENDIN ELECTRIC, INC.;  
ENOVATE ADVISORS, LLC.; RUBEN  
PEREZ RIOS, FRANCES M. CINTRON  
CRUZ, and the conjugal partnership  
composed by them; MARIO TOMASINI  
ACEVEDO; GUSTAVO CORUJO  
RAMSEY, SRA. CORUJO, and the  
conjugal partnership composed by them;  
JUAN VALENTÍN RAMOS, SRA.  
VALENTÍN RAMOS, and the conjugal  
partnership composed by them; JOEL A.  
VALENTÍN RÍOS, SRA. VALENTÍN  
RÍOS, and the conjugal partnership  
composed by them; DUNCAN  
FREDERICK, SRA. FREDERICK, and  
the conjugal partnership composed by  
them; FULANO DE TAL; SUTANO DE  
TAL, ASEGURADORA ABC;  
ASEGURADORA DEF;  
ASEGURADORA GHI;  
ASEGURADORA JKL; Y  
ASEGURADORA XYZ;

Civil Action No.: **12-Civ-2010**

**NOTICE OF REMOVAL**

Defendants.

**TO THE HONORABLE COURT:**

Pursuant to 28 U.S.C. §§1331, 1441 and 1446, **COMES NOW**, CIRO Group, Corp.; CIRO Energy, Corp.; CIRO One Salinas, LLC; CIRO Two Power Facility, LLC; CIRO Three Power Facility, LLC; CIRO Energy Partners, LLC; Rosendin Electric, Inc.; Enovate Advisors, LLC.; Ruben Perez Rios, Frances M. Cintron Cruz, and the conjugal partnership composed by them; Mario Tomasini Acevedo; Gustavo Corujo Ramsey, Sra. Corujo, and the conjugal partnership composed by them; Juan Valentín Ramos, Sra. Valentín Ramos, and the conjugal partnership composed by them; Joel A. Valentín Ríos, Sra. Valentín Ríos, and the conjugal partnership composed by them; Duncan Frederick, Sra. Frederick, and the conjugal partnership composed by them (hereinafter referred to as “Defendants”), by their attorneys Estrella, LLC | Attorneys & Counselors, who file their Notice of Removal to this Court of an action pending against them in the Commonwealth of Puerto Rico, Superior Court of Ponce. Removal is based on the following grounds:

1. This action was commenced against Defendants in the Superior Court of Ponce, Commonwealth of Puerto Rico, by the filing of a Summons and Complaint on December 3, 2012. The Summons and Complaint were served upon Defendants personally at the lobby of the El San Juan Hotel in Carolina, Puerto Rico on December 3, 2012. A copy of the Summons and the Complaint are attached hereto as an Exhibit.
2. The Complaint seeks damages for RICO violation, bad faith, tortious interference with contract and damages allegedly sustained by plaintiff, allegedly as a result of a transaction that failed to close during nearly the last two years.
3. This Court has original jurisdiction over this action pursuant to 28 U.S.C. § 1331 in that it arises under federal law and the action is one that may be removed

pursuant to 28 U.S.C. § 1441 without regard to the residence or citizenship of the parties. Venue is likewise proper pursuant to 28 U.S.C. § 1391(b) since all facts and circumstances leading to the lawsuit, as alleged in the complaint, transpired within the district of Puerto Rico.

4. This Notice of Removal is being filed within thirty days after receipt by defendants of a copy of the Complaint and, therefore, is timely filed pursuant to 28 U.S.C. §1446(b).

5. The action in the Superior Court of Ponce, Commonwealth of Puerto Rico is, therefore, a civil action over which this Court has original jurisdiction pursuant to 28 U.S.C. §1331, and is one which may be removed to this Court pursuant to the provisions of 28 U.S.C. §§1441 and 1446.

6. Defendants simultaneously with the service and filing of this Notice of Removal has given written notice of the filing of this Notice of Removal to plaintiff and filed a copy of the Notice of Removal with the First Instance Court of Ponce, Commonwealth of Puerto Rico, as required by 28 U.S.C. § 1446(d).

7. All defendants that have been served in this case have expressly consented to the removal of this action to the United States District Court for the District of Puerto Rico.

**WHEREFORE**, Defendants respectfully request that this action be removed to this Court.

Dated: December 12, 2012, San Juan, Puerto Rico.

**S/KENNETH C. SURIA**

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**CERTIFICATE OF SERVICE**

We hereby certify that on December 12, 2012, we served the Notice of Removal upon counsel for the plaintiff at her business address as indicated above via United States Postal Service Certified Mail - Return Receipt Requested, Regular Mail and via electronic correspondence at [pilar@munoznazario.com](mailto:pilar@munoznazario.com).

At San Juan, Puerto Rico, this 12<sup>th</sup> day of December 2012.

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